

FILED & ENTERED

MAY 19 2017

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY bakchell DEPUTY CLERK

NOT FOR PUBLICATION
UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES DIVISION

In re:

CATALINO CASTILLO,

Debtor.

Case No. 2:15-bk-22018-RK

Adv. No. 2:15-ap-01490-RK

Chapter 7

**ORDER ON COURT'S ORDER TO SHOW
CAUSE TO DEFENDANT, STRIKING
DEFENDANT'S ANSWER AND DIRECTING
ENTRY OF DEFAULT AGAINST
DEFENDANT**

SCE FEDERAL CREDIT UNION,

vs.

CATALINO CASTILLO,

Plaintiff,

Defendant.

Date: May 16, 2017

Time: 1:30 p.m.

Courtroom: 1675

Roybal Federal Building
255 East Temple Street
Los Angeles, California

TO DEFENDANT CATALINO CASTILLO AND PARTIES IN INTEREST:

This adversary proceeding came on for hearing before the undersigned United States Bankruptcy Judge on May 16, 2017 on the Order to Show Cause ("OSC") (Docket No. 48) issued by the court on April 21, 2017 to Defendant Catalino Castillo ("Defendant") because he failed to appear at the April 18, 2017 status conference and

1 failed to participate in the preparation of a status conference report as required by Local
2 Bankruptcy Rule 7016-1. The OSC was served by mail by the Bankruptcy Noticing
3 Center for the court on Defendant at his address of record on April 23, 2017. Pursuant
4 to the OSC, Defendant was ordered to appear before the court on May 16, 2017 before
5 the undersigned United States Bankruptcy Judge, and Defendant was also ordered to
6 file a written declaration under penalty of perjury explaining why he failed to appear at
7 the status conference on April 18, 2017 and why he failed to participate in the
8 preparation of a status report for that status conference. Defendant failed to appear at
9 the hearing on the OSC on May 16, 2017, and he failed to file a written response to the
10 OSC, which were ordered in the OSC. In its OSC, the court gave Defendant the
11 opportunity in writing and in person to explain why he did not appear for the status
12 conference in this adversary proceeding on April 18, 2017, and Defendant's lack of
13 response to the OSC in writing and in appearance as ordered indicates to the court that
14 he no longer has any interest in defending this adversary proceeding.

15 The court determines that Defendant having failed to appear for the status
16 conference on April 18, 2017, having been served with its OSC, having failed to file a
17 written response to the OSC to explain his failure to appear for the status conference on
18 April 18, 2017 as required by the OSC and having failed to appear in court pursuant to
19 the OSC at the hearing set by the court on May 17, 2017, sanctions should be imposed
20 against Defendant based on these failures indicating a willful failure to defend in this
21 adversary proceeding pursuant to Local Bankruptcy Rules 1001-1(f) and 7016-1(g), 11
22 U.S.C. § 105(a) and the court's inherent authority to impose sanctions for violations of


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1 the court's rules and orders, such as the OSC. For these reasons, the court hereby
2 ORDERS that as sanctions for Defendant's failures to obey the order, the OSC, and
3 rules of this court, Defendant's answer (Docket No. 30) is stricken from the record and
4 the Clerk of the Court is authorized and directed to enter a default against Defendant.

5 IT IS SO ORDERED. ###

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25 Date: May 19, 2017

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Robert Kwan
United States Bankruptcy Judge